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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/002,745	11/02/2001	Toshio Ueno	01703/LH	3835
1933	7590	08/03/2005	EXAMINER	
FRISHAUF, HOLTZ, GOODMAN & CHICK, PC 220 5TH AVE FL 16 NEW YORK, NY 10001-7708			CHEA, PHILIP J	
			ART UNIT	PAPER NUMBER
			2153	

DATE MAILED: 08/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/002,745

Applicant(s)

UENO, TOSHIO

Examiner

Philip J. Chea

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11, 15, 16 and 18 is/are rejected.
- 7) ☒ Claim(s) 10, 12-14, 17, 19 and 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4/14/05; 6/16/05.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

This Office Action is in response to an Amendment filed April 14, 2005. Claims 1-20 are currently pending, of which claims 7-20 are new.

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on April 14, 2005 and June 16, 2005 were filed. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
3. Claims 1-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
4. The term "substantially" in claims 1,3,5 is a relative term which renders the claim indefinite. The term "substantially" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. It is unclear how similar to natural language the claim must be.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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6. Claims 1-6,8,9,15, are rejected under 35 U.S.C. 103(a) as being unpatentable over Mongilio (US 6,463,437) further in view of Turnbull et al. (US 6,389,426), herein referred to as Turnbull further in view of Wang et al. (US 6,766,320), herein referred to as Wang.

As per claims 1, 3, and 5, although Mongilio discloses a technical support system comprising:

- a service information portal section which provides web pages as information input and output interfaces (see Fig. 3, where a website is shown with fields to allow a user to enter information about a problem);
- a knowledge base section which stores various claim reports and solutions related to the claim reports (see column 3, lines 20-34, where a self-help section allows users to step through their problem in order to find a solution);
- and a claim handling section which registers a new claim report in said knowledge base section, and manages the registered new claim report as an unsolved claim requiring an answer from an engineer (see column 3, lines 43-65 and column 4, lines 18-26, where a user files a claim report after the self-help section has not solved the problem); wherein said claim handling section is configured to issue respective task sheets for a market countermeasure task which is shared among technical divisions to the respective technical divisions in accordance with the new claim report (see column 5, lines 56-61, where the claim report can be sent to a group of individuals to which the problem pertains),

it fails to disclose updating a state of progress of the market countermeasure task upon receipt of each respective task sheet returned from each of the technical divisions.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Mongilio, as evidenced by Turnbull

In an analogous art, Turnbull disclose updating the state of progress in a response to a task sheet returned from the authority responsible for examining the task sheet (see columns 4 and 5, lines 60-67 and 1-17, where a state of progress is considered the resolution code).

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Given the teaching of Turnbull, a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Mongilio by employing a status report on the state of progress, such as disclosed by Turnbull, in order to track tickets and perform trend analysis (see Turnbull column 1, lines 15-23).

Although the system disclosed by Mongilio in view of Turnbull shows substantial features of the claimed invention (discussed above), it fails to disclose wherein claim content of the new claim report is input via a client web page in a format substantially similar to natural language, and the new claim report is registered in the knowledge base selection in a format including at least a claim title structured as a combination of predetermined items of definition information expressed in standard terms, based on the claim content in the format substantially similar to natural language.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Mongilio in view of Turnbull, as evidenced by Wang.

In an analogous art, Wang discloses that natural language parsing is old and well known and that it would be obvious to have claim content of a new claim report input via a client web page in a format substantially similar to natural language (see column 6, lines 40-51), and have the new claim report registered in a knowledge base selection in a format including at least a claim title structured as a combination of predetermined items of definition information expressed in standard terms, based on the claim content in the format substantially similar to natural language (see columns 6 and 7, lines 65-67 and 1-20).

Given the teaching of Wang, a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Mongilio in view of Turnbull by employing natural language parsing, such as disclosed by Wang, in order to accommodate many diverse types of user queries.

As per claims 2, 4, and 6, Mongilio in view of Turnbull in view of Wang further disclose displaying the state of progress of a countermeasure task (see Turnbull column 5, lines 18-34, where visualizing is considered implementing a table structure that includes a field for the resolution code indicating the status of the countermeasure task).

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As per claim 8, Mongilio in view of Turnbull in view of Wang further disclose that the state of progress is a selected one of a plurality of consecutive steps (see Turnbull, Fig. 3).

As per claim 9, Mongilio in view of Turnbull in view of Wang further disclose that the selected step is updated based on a combination of tasks completed in the technical divisions (see Turnbull, column 5, lines 11-18).

As per claim 15, Mongilio in view of Turnbull in view of Wang further disclose that a plurality of task sheets are issued to the technical divisions (see Turnbull column 6, lines 41-53).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 7,11,16-18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mongilio in view of Turnbull in view of Wang as applied to claim 1 above, and further in view of Official Notice.

As per claims 7,11, although the system disclosed by Mongilio in view of Turnbull in view of Wang shows substantial features of the claimed invention (discussed above), it fails to disclose that the technical divisions comprise a design division, a production division, and a quality certification division.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Mongilio in view of Turnbull in view of Wang.

It is old and well known to have different divisions responsible for particular steps in a business method. For a business to successfully operate and maintain order it is obvious to include a design division to brainstorm, a production division to prepare the product, and a quality certification division to inspect the product for obvious flaws before getting shipped out to customers.

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Given the teaching of Official Notice, a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Mongilio in view of Turnbull in view of Wang by employing divisions to carry out a business method, such as disclosed, in order to successfully operate and maintain a business providing a product.

As per claim 16, Mongilio in view of Turnbull in view of Wang in view of Official Notice further disclose that it would be obvious to issue a plurality of task sheets to a design division. It is old and well known that a design division is an essential part of a product lifecycle. Therefore, it would be obvious to issue a task to the design division to improve the final product.

As per claim 18, Mongilio in view of Turnbull in view of Wang in view of Official Notice further disclose that it would be obvious to issue a task sheet to a design division and a task to a production division simultaneously. It is old and well known in the art that multitasking can increase productivity. Assigning tasks to different divisions simultaneously allows resources to be used effectively and have less idle time.

Allowable Subject Matter

9. Claims 10,12-14,17,19,20, are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

10. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

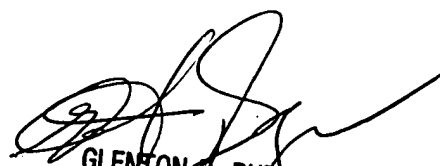
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip J. Chea whose telephone number is 571-272-3951. The examiner can normally be reached on M-F 7:00-4:30 (1st Friday Off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Burgess can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Philip J Chea
Examiner
Art Unit 2153

PJC 7/21/05



GLENN B. BURGESS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100